No. 376.

Office Supreme Court U. S.
FILED
MAY 5 1899
JAMES H. McKENNEY,
Clerk.

IN THE

Supreme Court of the United States.

D. P. TARPEY,
Plaintiff in Error,
vs. No. 376.
ANDREW MADSEN.
Defendant in Error,

MOTION.

Comes now the plaintiff in error by his Attorneys Lindsay R. Rogers and Wm. T. S. Curtis and moves the Court to enforce the stipulation to submit the above case heretofore filed herein by counsel for the respective parties.

LINDSAY R. ROGERS,
WM. T. S. CURTIS,
Attorneys for Plaintiffs in Error.

IN THE SUPREME COURT OF THE UNITED STATES.

D. P. TARPEY,
Plaintiff in Error
vs. No. 376.
ANDREW MADSEN,
Defendant in Error.

STIPULATION.

It is hereby stipulated and agreed by and between the parties to this cause and their respective attorneys of

record herein, that this cause shall be, and is, hereby submitted upon briefs, under provisions of Rule 20, of this court, providing for submission during the first ninety days of the term.

LINDSAY R. ROGERS,
Attorney for Plaintiff in Error.
B. H. JONES,
Attorney for Defendant in Error.

Dated Sept. 20th, 1898.

IN THE SUPREME COURT OF THE UNITED STATES.

D. P. TARPEY,
Plaintiff in error.
vs.
ANDREW MADSEN,
Defendant in error.
} No. 376.

You will please take notice that on Monday, the first day of May, 1899, at the Court Room of this Honorable Court, we will call up the plaintiff in error's motion, that this cause be submitted to the consideration and determination of the Court in accordance with the written stipulation on file in the office of the Clerk thereof.

L. R. ROGERS,
WM. T. S. CURTIS.
Attorneys for plaintiff in error.

Dated April 25th, 1899.

To B. H. Jones, Esq., Attorney for defendant in error and James H. McKinney, Clerk of the above entitled Court.

STATE OF UTAH, }
County of Box Elder. } ss.

Edward R. Chase, being duly sworn says; that he is a male citizen of the United States over the age of 21 years and is not interested in the above entitled action. That he is personally acquainted with B. H. Jones, Esq., the attorney of record for the defendant in error in the above entitled action, and that at Brigham City, in said Box Elder County and State of Utah, and on the 26th day of April, 1899, he personally served the above and foregoing notice upon the said B. H. Jones, Esq., by then and there delivering personally to the said B. H. Jones, Esq., a true copy thereof.

EDWARD R. CHASE.

Subscribed and sworn to before me this 26th day of April, 1899.

C. M. SQUIRES.
Justice of Peace.

(*Endorsement.*)

Service of a copy accepted this 26th day of April, 1899.

B. H. JONES;
Attorney for Defendant in error.